

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Conkling et al.
Application No.: 09/963,340
Filed: September 24, 2001
For: *REGULATION OF QUINOLATE PHOSPHORIBOSYL TRANSFERASE EXPRESSION*

Confirmation No.: 1188
Group Art Unit: 1638
Examiner: Russell Kallis

Date: December 5, 2008

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

Attached is an Information Disclosure Statement listing of documents, together with a copy of any listed foreign patent document and/or non-patent literature. A copy of any listed U.S. patent and/or U.S. patent application publication is not provided herewith in accordance with 37 C.F.R. § 1.98(a)(2)(ii). References 1-5, 7, 9, 14, 15, 18, 19, 29-31 and 58 on the enclosed listing were submitted as exhibits in Interference 105,632 (Vector Tobacco v. North Carolina State University), involving related Application Serial No. 11/416,887.

- In accordance with **37 CFR 1.97(b)**, the Information Disclosure Statement is being filed:
- (1) within three months of the filing date of a national application other than a continued prosecution application under §1.53(d);
- (2) before the mailing of a first Office Action after the filing of a request for continued examination under §1.114.
- In accordance with **37 CFR 1.97(e)**, the Information Disclosure Statement is being filed after the period specified in 37 CFR 1.97(b) above, but before the mailing date of any of a final action under §1.113, a notice of allowance under §1.311, or an action that otherwise closes prosecution in the application, and is accompanied by one of the following:
- (1) The statement specified under **37 CFR 1.97(e)**, as follows:
- Each item of information contained in the Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Information Disclosure Statement; or
- No item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to any individual designated in §1.56(c) more than three months prior to the filing of the Information Disclosure Statement; or
- (2) The fee set forth in §1.17(p);

In re: Conkling et al.
Serial No.: 09/963,340
Filed: September 24, 2001
Page 2

In accordance with **37 CFR 1.97(d)**, the Information Disclosure Statement is being filed after the period specified in **37 CFR 1.97(c)** above, but on or before payment of the issue fee, and is accompanied by **both** of the following:

(1) The statement specified under **37 CFR 1.97(e)**, as follows:

That each item of information contained in the Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Information Disclosure Statement; **or**

That no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to any individual designated in **§1.56(c)** more than three months prior to the filing of the Information Disclosure Statement; **and**

(2) The fee set forth in **§1.17(p)**;

In accordance with **37 CFR 1.97(g)**, the Information Disclosure Statement shall not be construed as a representation that a search has been made.

In accordance with **37 CFR 1.97(h)**, the Information Disclosure Statement shall not be construed to be an admission that the information cited in the statement is, or is considered to be, material to patentability as defined in **§1.56(b)**.

The Commissioner is hereby authorized to charge \$180.00 as fee specified in **37 C.F.R. § 1.17(p)**, and any fee deficiency or credit any overpayment, to Deposit Account No. 50-0220; **or**

No fee is believed due. However, the Commissioner is hereby authorized to charge any deficiency or credit any overpayment to Deposit Account No. 50-0220.

Respectfully submitted,



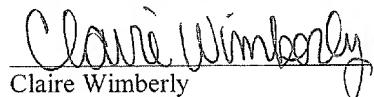
Mary L. Miller
Registration No. 39,303

Customer Number 20792

Myers Bigel Sibley & Sajovec, P.A.
P.O. Box 37428
Raleigh, NC 27627
Phone: 919-854-1400
Fax: 919-854-1401

CERTIFICATION OF ELECTRONIC TRANSMISSION

I hereby certify that this correspondence is being transmitted via the Office electronic filing system in accordance with **§ 1.6(a)(4)** to the U.S. Patent and Trademark Office on December 5, 2008.



Claire Wimberly